United Nations E/CN.6/2007/L.4/Rev.1

Economic and Social Council

Distr.: Limited
8 March 2007

Original: English

Commission on the Status of Women

Fifty-first session
26 February-9 March 2007
Agenda item 3
Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century"

United States of America: draft resolution

Forced and early marriage

The Commission on the Status of Women,

Reaffirming the obligations of all States to promote and protect the human rights of women, including girls, and recalling relevant human rights instruments in this regard, in particular the Convention on the Elimination of All Forms of Discrimination against Women[1] and the Convention on the Rights of the Child,[2]

Reaffirming also its commitment to the full, effective and accelerated implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session,

Recognizing that violence against women and girls impedes the social and economic development of communities and States as well as the achievement of internationally agreed development goals, including the Millennium Development Goals,

Recalling General Assembly resolutions on the rights of the child, the most recent of which is resolution 61/146 of 19 December 2006,

Reaffirming the Universal Declaration of Human Rights,[3] which states that men and women of full age have the right to marry and to found a family and that marriage shall be entered into only with the free and full consent of the intending spouses, and concerned that in many countries the Universal Declaration of Human

[1] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[2] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[3] General Assembly resolution 217 A (III).

07-26396 (E) 080307

Rights is violated as marriages occur without the free and full consent of the intending spouses, primarily the girl child and young girls,

Recognizing the serious, immediate and long-term implications for health, including sexual and reproductive health, as well as an increased vulnerability to HIV/AIDS and other sexually transmitted infections, and the negative impact on the psychological, social and economic development that violence against women and girls represents for individuals, families, communities and States,

Concerned that in spite of existing national laws establishing the minimum age of marriage, harmful traditional or customary practices of early and forced marriage still take place,

Recognizing that poverty and the absence of economic opportunities and autonomy, including in particular in rural areas, as well as lack of access to education, increase the vulnerability of young women and girls and are thus among the main contributing factors to the practice of early and forced marriages,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, nutrition and physical and mental health care and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices, such as female infanticide, rape, incest, early marriage, forced marriage, prenatal sex selection and female genital mutilation,

Recognizing that forced early marriages and early childbearing continue to impede improvements in the educational, economic and social status of women in all parts of the world, and that forced and early marriage and early motherhood can severely curtail their educational and employment opportunities and are likely to have a long-term, adverse impact on the quality of their lives and the lives of their children,

Recognizing also that forced and early marriage, among other factors, contributes to girls faring disproportionately worse than boys in terms of access to primary school in some countries,

Recognizing further that forced early marriage has adverse psychological effects on girls and that early pregnancy and early motherhood entail complications during pregnancy and delivery and a risk of maternal morbidity and mortality that is much greater than average, and deeply concerned that early childbearing and limited access to sexual and reproductive health care, including in the area of emergency obstetric care, cause high levels of obstetric fistula and maternal mortality and morbidity,

Recognizing that forced marriage, early marriage and early sexual activity increase the risk of HIV infection and other sexually transmitted infections,

Concerned that forced marriage and early marriage can involve threatening behaviour, abduction and imprisonment, physical, psychological and sexual violence, rape, and even murder,

Recognizing that women who marry at a young age are more likely to experience domestic violence than women who marry at an older age as a result of

gender inequalities, in particular their lack of status and power in the marriage and household,

Recognizing also that forced early marriage undermines international and national efforts to fight poverty and HIV/AIDS and to improve maternal and child health, chances for survival, and welfare,

1. *Urges* States:

(a) To enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses and, in addition, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and to raise the minimum age for marriage where necessary;

(b) To adopt and enforce requirements for registration of birth and marriage with the aim of definitively determining age at the time of marriage;

(c) To include in their reports to human rights treaty bodies, as appropriate, information on national efforts to address forced marriage and early marriage;

(d) To ensure that, by the earliest possible date, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education in order to fulfil the Millennium Development Goals, and to create an enabling environment in order to retain girls and young women in school;

(e) To design and implement educational programmes at all levels and develop information campaigns as well as teaching materials and textbooks, as appropriate, that will sensitize and inform women, girls, men and boys about the illegality and harmful effects of forced marriage and early marriage;

(f) To develop and implement at all levels a multisectoral, multidisciplinary, comprehensive and integrated strategy of prevention of and support to girls who have entered into forced early marriage, including the training of, inter alia, health workers, teachers, law enforcement personnel, military personnel, social workers, the judiciary, community leaders and the media, on forced and early marriage laws and their effective implementation;

(g) To promote policies and measures aimed at the economic empowerment of young women, especially those living in rural and remote areas, inter alia, by increasing their access to economic resources, enhancing the employability of young women, developing their skills and broadening their access to career choices as well as by facilitating better reconciliation of work and family life;

(h) To ensure that the rights of children to express themselves and participate in matters affecting them, in accordance with their age and maturity, are fully and equally enjoyed by girls;

(i) To monitor progress in efforts to address forced and early marriage through the collection and analysis of age- and sex-disaggregated data, and to disseminate information on the causes and consequences of forced and early marriage;

2. *Urges* States and relevant funds, programmes and entities within the United Nations system:

(a) To develop a national strategy of prevention and treatment to effectively address morbidities, including obstetric fistula, and to further develop a multisectoral, multidisciplinary, comprehensive and integrated approach to ensure equal access to the provision of health care and to bring about lasting solutions and a meaningful response to the problem of obstetric fistula and related morbidities;

(b) To integrate prevention initiatives against forced and early marriage into international development programmes to further health, education and employment;

(c) To encourage research aimed at exploring the nature, extent and causes, including the root causes, of early and forced marriage, to monitor progress in efforts to address forced marriage and early marriage through the regular collection, analysis and dissemination of data, and to work towards overcoming the challenges of collecting information on the practice;

(d) To give increased attention to national capacity-building, where necessary, in order to overcome the challenges of collecting information on these practices;

3. *Invites* States, and encourages, as appropriate, the private sector, non-governmental organizations and other civil society actors, with the support of the international community, as appropriate:

(a) To conduct public education and awareness campaigns to raise awareness about the causes and consequences of forced marriage and early marriage and the benefits of delaying marriage, especially keeping in mind those who may be in positions of particular influence to help eradicate forced marriage and early marriage, including parents, teachers, and religious leaders;

(b) To support and allocate resources for programmes to strengthen preventive action, in particular education for women and men as well as for boys and girls, on gender equality, self-respect and mutual respect, and for campaigns to increase public awareness of the issue at the national and grass-roots levels;

(c) To sensitize the girl child, men and boys, parents, legal guardians, families, teachers, community and religious leaders and society concerning good general health and nutrition and raise awareness of the adverse health consequences and other problems connected with early pregnancy and early childbirth;

(d) To encourage men and boys to continue to take positive initiatives to eliminate gender stereotypes and harmful attitudes and practices, such as forced early marriage;

(e) To increase access to health care by providing medical facilities, training for health-care workers, including traditional birth attendants, equipment, supplies and transportation in communities that practise forced and early marriage;

(f) To address the needs of girls regarding family planning and sexually transmitted infections and HIV/AIDS prevention, care, testing and treatment programmes;

(g) To establish shelters offering counselling and education services for girls who escape forced and early marriages and to support and develop programmes to reintegrate them socially and educationally;

(h) To establish and support international, regional and national programmes, as appropriate, and take action to eliminate forced and early marriage as part of an integrated comprehensive and multisectoral approach to violence against women and girls;

(i) To continue to study the links between poverty, underdevelopment and certain harmful practices, such as forced early marriage as well as the links between such practices and customs and traditions, health, education and economic empowerment;

4. *Encourages* the international community, including bilateral donors and multilateral development organizations, to assist developing countries in ensuring the provision of basic social services for women and girls;

5. *Reiterates* that the eradication of poverty is the greatest global challenge facing the world today and is an indispensable requirement for sustainable development, in particular for developing countries, and recognizes that chronic poverty remains the single biggest obstacle to meeting the needs and protecting and promoting the rights of girls, and that urgent national and international action is therefore required to eliminate it;

6. *Invites* non-governmental organizations and other civil society actors:

(a) To continue to advocate at the local, national, regional and international levels against forced marriage and early marriage, including through building and strengthening networks among those who may call attention to its adverse consequences;

(b) To continue to increase coordination and cooperation in addressing forced marriage and early marriage, and to continue to present their observations and conclusions to Governments;

7. *Requests* the Secretary-General to report to the Commission on the Status of Women at its fifty-second session on the implementation of the present resolution.